

- R E M A R K S -

Claim Rejections – 35 USC §112

Claim 1 is rejected under 35 U.S.C. §112(2) as being indefinite. The Applicant has amended the claim language for clarity and believes the rejection to be overcome.

Claim Rejections – 35 USC §102

Claims 1, 3-6, 8 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Spraggins et al. (US 5,679,275). The Applicant respectfully submits that this rejection is improper and requests that it be withdrawn.

The Examiner points to element 10 of figure 3, and col. 3, lines 41-47 to show a circuit comprising “a plurality of components including at least one thermally trimmable resistor and at least one other component, said thermally trimmable resistor possessing a hysteresis characteristic with respect to a dependence of a temperature coefficient on a resistance”. Figure 3 is a very generic diagram showing a utilization circuit (10) connected to a diode (40) and two resistors (20, 30). The passage at col. 3 lines 41-47 refers to how resistor 20 “changes the electrical characteristics of the utilization circuit”. An example given is that “the resistor 20 may be part of an RC time constant for a timing circuit, or feedback resistance in an amplifier or filter application”. While these are very common circuits that indeed will affect the electrical characteristics of the utilization circuit, there are absolutely no teachings of having, either in the utilization circuit or outside of it in the form of resistors 20 or 30, a thermally trimmable resistor “possessing a hysteresis characteristic with respect to a dependence of a temperature coefficient on a resistance”. There is no mention in this passage, or anywhere else in Spraggins, of a thermally-trimmable resistor possessing the recited hysteresis characteristic and the Examiner cannot assume that any given resistor will meet this limitation. For most passive resistors, for example discrete fixed resistors, the hysteresis of temperature coefficient of resistance with respect to any other property is not mentioned on datasheets because it so small that it is negligible.

In fact, resistor manufacturers strive to make all hysteresis effects as small as possible because they tend to detract from stability.

The Examiner points to col. 2, lines 60-62 of Spraggins to show teachings of “trimming a resistance value and a temperature coefficient of resistance” to “independent values”. Spraggins does not teach or suggest any trimming other than that of a resistance value. Spraggins fails to even address the behavior of the temperature coefficient of resistance when the resistance is trimmed, much less explicitly teach trimming the temperature coefficient of resistance.

The Examiner points to col. 2, lines 32-35 to show teachings of “said trimming said temperature coefficient of resistance done by cycling said resistance value away from and back towards a starting point”. There are no teachings of trimming temperature coefficient of resistance at this passage, and therefore no teachings of doing so by cycling the resistance in any way.

The Examiner further points to col.3, lines 26-31 to show teachings of “thereby using said hysteresis characteristic of said thermally trimmable resistor”. The Applicant fails to see how this passage teaches or suggests the use of “a hysteresis characteristic with respect to a dependence of a temperature coefficient on a resistance”.

Therefore, the Applicant submits that the rejection is unsupported by the art and should be withdrawn.

Claim Rejections – 35 USC §103

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Spraggins et al. More specifically, the Examiner asserts that “it would be obvious to one of ordinary skill in the art [...] to have the temperature coefficient measured during a cooling of said component with respect to an arbitrary scale through a meter such as an impedance or ohm meter”. The Applicant submits that this rejection is improper and should be withdrawn.

The Examiner merely advances that there are known techniques to make measurements, not that it is known or would be obvious that the act of measuring

“said temperature coefficient” be done “during a cooling of said component with respect to an arbitrary scale”. A *prima facie* case of obviousness has not been made as the Examiner has failed to produce evidence to factually support the conclusion of obviousness.

Conclusion

The Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
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